

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

LANDON M. PRICE,
Plaintiff

Case No. 1:12-cv-360
Dlott, J., Litkovitz, M.J.

vs

RICHARD K. JONES, SHERIFF, et al.,
Defendants.

ORDER

On January 21, 2013, defendants filed a motion for summary judgment in response to the complaint of plaintiff Landon M. Price, who is proceeding pro se. (Doc. 19). In the certificate of service, defendants certified that a copy of the motion for summary judgment was provided to plaintiff at the Butler County Jail, 705 Hanover Street, Hamilton, OH 45011 using the Court's electronic filing system (CM/ECF) on the date the motion was filed.¹ (Doc. 19 at 10). On January 22, 2013, the Court notified plaintiff that a motion for summary judgment had been filed by defendants in his case and that failure to file a response within 21 days of the date of service set forth in the certificate attached to the motion could result in dismissal of the lawsuit for failure to prosecute. (Doc. 20).

Plaintiff filed a response to the Court's notice on January 28, 2013. (Doc. 22). Plaintiff stated he had received the Court's notice, but he had not received a copy of defendants' motion for summary judgment as of January 28, 2013. The Court's review of the docket indicates that plaintiff's current address as listed on his response is the Boone County Jail, P.O. Box 898,

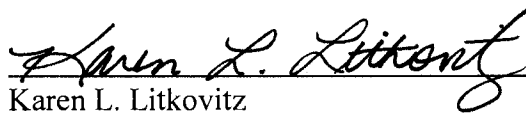
¹ Because plaintiff is proceeding pro se, he is not a registered user of the Court's CM/ECF system and service therefore may not be made on him through the system. See Electronic Filing Policies and Procedures Manual for the United States District Court, Southern District of Ohio, Section II. B. 3.

Burlington, Kentucky 41005.

Defendants are therefore ORDERED to: (1) serve on plaintiff at his current address via regular United States mail a copy of the motion for summary judgment with a certificate of service that complies with S.D. Ohio Civ. R. 5.2(a) and Fed. R. Civ. P. 5(d), and (2) file the certificate of service with the Court. Plaintiff shall have 21 days from the date of service set forth in the certificate to file a response to the motion for summary judgment.

IT IS SO ORDERED.

Date: 1/30/13


Karen L. Litkovitz
United States Magistrate Judge